

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Kyle Guggenberger, by his parents and guardians, Keith and Ginger Guggenberger; Jay Hannon, by his parent and guardian, Patricia Hannon; Abigail Pearson, by her parents and guardians, Ellen and Jeff Pearson; Amber Brick, by her parents and agents, Robert and Anne Brick; and on behalf of others similarly situated,

Civil No. 15-3439 (DWF/BRT)

Plaintiffs,

v.

ORDER

State of Minnesota; the Minnesota Department of Human Services, an agency of the State of Minnesota; and Emily Johnson Piper, Commissioner of the Minnesota Department of Human Services,

Defendants.

In accordance with Local Rule 7.1(j), Defendants State of Minnesota, Minnesota Department of Human Services (“DHS”), and DHS Commissioner Emily Johnson Piper (collectively “Defendants”) have requested permission to file a motion for reconsideration of the Court’s January 12, 2016 Order, (Doc. No. 47), overruling Defendants’ objections to Magistrate Judge Becky R. Thorson’s November 20, 2015 Pretrial Scheduling Order, (Doc. No. 30). (Doc. No. 49.) Plaintiff opposes this request. (Doc. No. 50.)

Having fully considered the submissions of the parties and the current procedural status of the case, the Court concludes that it will serve the best interests of all parties and

the Court to stay discovery and settlement negotiations while the Court considers Defendants' Motion to Dismiss (Doc. No. 35). The Pretrial Scheduling Order was issued on November 20, 2015. (Doc. No. 30.) The Court heard arguments on Defendants' Motion to Dismiss on January 5, 2016. (Doc. No. 46.) Given the anticipated timing of the Court's forthcoming Order on Defendants' motion, the Court has determined that it is appropriate to stay discovery and settlement negotiations at this time. Because this stay will likely address Defendants' central concerns, Defendants' request for permission to file a motion for reconsideration is denied as moot.

Accordingly, **IT IS HEREBY ORDERED** that:

1. All discovery and settlement negotiations in this matter are **STAYED** pending the Court's forthcoming Order on Defendants' Motion to Dismiss (Doc. No. 35).
2. Defendants' request for leave to file a motion for reconsideration (Doc. No. [49]) is **DENIED AS MOOT**.

Dated: January 27 , 2016

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge